IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 6935 of 2005
Date of decision : 27.11.2006.

Sat Narain & Anr.

.....Petitioners.

Versus

Smt. Murti Devi @ Ram Murti

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. R.K. Gupta,Advocate
for the petitioners.

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VINOD K. SHARMA,J.(ORAL)

Present revision petition has been filed against the order dated 11.11.2005 passed by the learned Addl. Civil Judge (Sr.Divn.), Safidon dismissing the application moved by the petitioners under Order 6 Rule 17 read with Section 151 C.P.C.

By way of amendment, the petitioners have sought to delete word “no” in para No.7 of the written statement in line No.11, which had occurred on account of typographical error. The reading of the written statement clearly shows that this was a typographical error as the word “no” did not make any sense in the sentence, mentioned in para No.7. The said application has been rejected by the learned Court below by observing that it has to be ascertained whether this error is clerical mistake or not. This finding of the trial Court cannot be sustained as mere reading of the averments made in para No.7 shows that it was a typographical error.

Accordingly, this revision is allowed, the impugned order is set aside and the application moved under Order 6 Rule 17 C.P.C. is allowed.

27.11.2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**